

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Case No. 01-16034 (AJG)
(Post Confirmation)
Jointly Administered

Adv. Pro. No. 03-93370 (AJG)

Defendants.

Enron Creditors Recovery Corp. and Berkeley Capital Management, LLC having entered into the Stipulation and Order Dismissing Action Against Berkeley Capital Management, LLC, and Enron Creditors Recovery Corp. and CDC Investment Management Corp. having entered into the Stipulation and Order Vacating Default Judgment and Dismissing Action against CDC Investment Management Corp.,

That the plaintiff take nothing and that the action be dismissed on the merits with respect to the defendants, Berkeley Capital Management, LLC and CDC Investment Management Corp., with each party to bear its own costs and expenses.

By: /s/ Anatin Rouzeau
Deputy Clerk